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K. Blackall (C.)

THE
LORD BISHOP
OF
EXETER's
ANSWER
TO
Mr. Hoadly's Letter.

PROV. xxvii. 6.

Faithful are the Wounds of a Friend, but the Kisses
of an Enemy are deceitful.

The Second Edition.

L O N D O N .

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The LORD BISHOP of EXETER's
A N S W E R to Mr. Hoadly's
 LETTER.

Reverend Sir,

Bath, May 10.
 1709.

I Was in such full Business, preparing to quit my House in *London*, to send my Goods with part of my Family to *Exeter*, and to bring the rest of it with my self to this Place, that, when your Letter of *Considerations* came to my Hands, I cou'd only dip into it, but had not Time to give it thorough Reading; and when (soon after I came hither) I did read it all over, 'twas at first without my Design of giving an Answer to it, at least not till I should find more Leisure, and better Conveniences for it than I can have here, where I not only have no Books proper for the Purpose, but may also expect to find (as I have already done) more other necessary Businesses, than the Physicians will allow any Person, in a Course of drinking these Waters, to give due Attendance to. But, after I had read it over, and I cou'd observe therein little else, that I was concern'd, besides Cavilling at Words, Misrepresentations of my Sense, and sometimes (I must beg leave to say) downright Falsifications, I soon alter'd my mind; and took up a Resolution of writing you an Answer from hence, according as I shou'd be able to find Leisure and Convenience: Because I saw I shou'd

have little more to do, then only to undergo the Fatigue of Writing; the Matter I was to write about being such, as, I conceiv'd, wou'd not require much Study or intense Thinking; especially being, before, and all along resolv'd not to meddle at all (if I might avoid it) with any thing in your Letter, but only what relates to those Passages in my Two Sermons, which you are pleas'd to take Exceptions to; and to clear and defend my own Meaning therein.

For to tell you the plain Truth, tho' I am, I confess, clearly of Opinion, that the Doctrines of the Divine Institution of Magistracy, of Subjection to the Higher Powers, of Obedience and Submission to Governors for God's and for Conscience sake, and that Resistance is a damnable Sin, are not only true, but likewise of the greatest Importance both to the Honour of Christianity, and the Security of Humane Society, (for which Reasons I shall still, at least till I shall receive more Light, be as ready as ever I was, whenever a proper Opportunity offers, (esp. cially on an Accession-Day, or a 30th of January) to Preach these Doctrines, in the Sense wherein I have ever hitherto understood them, and likewise, upon a Royal Command, to Print any Sermon that I shall Preach upon those Subjects;) yet I do not think that these are the only Truths of Christianity, or the only Doctrines fit to be Preach'd up; nor can I think myself oblig'd to engage in a Personal Controversie with you, or with any other person, that shall ever Preach, or in Print maintain, the contrary Doctrines; especially when I am sensible I can't do it, without neglect of other Duties more nearly, and in my present Station, more strictly Incumbent on me. Besides, tho' I think these Doctrines very necessary to be frequently Preach'd upon to the People, according to that Apostolical Prescript, in Tit. 3. 1. which, I hope, I shall always be careful to observe; yet since I do not pretend, (nor ever did) to say any thing more

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upon them, than what has for Substance been already said, and printed too, by others over and over again; I see no Reason I have now, or can have at any time hereafter, to trouble the World with any thing in Print upon these Subjects, (unless it be at the Command of my Prince, or at the Request of Friends) any farther then shall be absolutely necessary for my own *Self-Defence*; which being, you know, a prime Right of Nature, must by no means be neglected, or given up. For these Reasons I have thought fit to avoid, at this time, as much as may be, to engage with you upon any other Points wherein I believe we may differ; and to keep as close as I can only to the Defence of what I have already Printed: and being so resolved, I am the more easily induc'd to write an Answer to you from hence, (as I shall be able to find time to do it) partly that you may not think your self neglected, which I have reason to believe you wou'd take heinously ill; and partly because I do not foresee, when at any time this Summer I may be like to have more leisure, tho' I might have better helps, for writing you an Answer than I have now. Nevertheless being at present under the Circumstances before mention'd, I hope I may be excus'd, if in citing Scripture I should not always name Chapter and Verse, nor hit exactly upon the very Words of the Translation: Or if in referring to any point of History, or other Learning, I should commit any such Mistakes, as one of a very bad Memory may easily fall into. And so (*saving to my self, &c.* as is usual in Answers to Bills in Chancery) to your Letter it self I Answer as follows.

SIR,

Your Letter, after a short Introduction expressing with what Reluctance you forc'd your self to write it, and after a general Profession of

your Zeal for that [good old] Cause which you have been for some time engag'd in, begins with a sort of stating the Question between us, which you make to be, *Whether the Nature and End of Government necessarily take away from the governed Part of Mankind the Right of Self-Defence ; Or, Whether the Gospel of Jesus Christ hath utterly depriv'd them of any such Right, and left them naked and defenceless against all possible Attempts of their Governors :* And then you add these Words ; *Your Lordship hath been pleas'd to express some Zeal for the affirmative Side of these Questions :* A notorious Falshood ! (Pardon the Word, for if I don't make it out, I'll revoke it). By meeting with which at the beginning of your Letter, your Reader may judge, what fair Usage of me he is like to meet with in the rest of it. For, as to the second of these Questions, so far am I from expressing any Zeal for the affirmative Side of it, that, to the best of my Remembrance, I have not, in either of these Two Sermons which you find fault with, so much as once simply affirm'd, that *the Gospel of Jesus Christ has depriv'd Men of any natural Right whatsoever* ; tho' I don't know but that I may have said something like it, in some other Sermon or Sermons in my course of Preaching : For I must tell you, that those Evangelical Precepts which forbid the *Resistance of Evil*, which prescribe the *Turning the other Cheek*, the *Parting with the Coat*, and the *Going Two Miles*, and which Command, in some Cases, the *Cutting off the Right Hand*, and the *Plucking out the Right Eye*, and the *Hating even Father, Mother, Wife and Children, Houses and Lands, yea, and Life too*, do seem to me to look a little that way. And, as to the Affirmative of the First Question, viz. *That the Nature and End of Government necessarily take away from the governed Part of Mankind the Right of Self-Defence*, I am still more confident, that I have not in either of those

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those Sermons (nor, I believe, in any other) asserted it, much less expres'd any Zeal for it. And for this, if you won't believe me upon my own Word, I am able to produce a very good Witness; a Witness, tho' to a Negative, whose sufficiency to bear such Testimony, and whose Veracity and Credit, you, of all Men, will not, I dare say, presume to call in question; for it is no other Person, I assure you, than your good Self, who in the 15th Page of your Letter, Line 17. have been pleas'd to write down these very gracious Words: *All that is contended for with any Zeal, is this, That there should be a Right left in the governed Society, to preserve it self from Ruine and Destruction; Which is a Point that your Lordship hath not touch'd upon.* For these kind Words, Sir, I must own my self extreamly oblig'd to your Goodness; not only because they clearly acquit me from that Charge which you had before brought against me, but also because this gracious Concession of yours, that *I have not touch'd upon that Point*, will save me the trouble of writing any Answer to, I believe, near half your Letter; all that part of it, I mean, wherein you assert and undertake to prove the natural Right of *Self-Defence*. For (that I may not be wholly wanting in Concessions) I also am very free to grant that meer *Self-Defence* is one of the most innocent means, that the *governed Part of the Society* can sometimes use, to *preserve it self from Ruine and Destruction*, in case of some possible Attempts of their *Governours*. However this being a Point, which, you grant, I have not yet touched upon, I am resolv'd, if it be possible, for my own Ease and Quietness-sake, to forbear touching upon it in this Letter; and to keep wholly and solely to the Point of my own *Self-Defence* against your Attacks; the rather because I have abundance of other Business now lying upon my Hands, which I think more necessary to be done, then 'tis to enter

into a Controversie about fresh Matter, with you, or with any other Person whatsoever. Only, by the way, I can't but offer it to your own serious Consideration, with what truth you cou'd say before, that I have not only affirm'd, but *expressed some Zeal* in affirming, that *the Nature and End of Government necessarily take away from the governed Part of Mankind the Right of Self-Defence*; when as here you grant, that I have not so much as touch'd upon the *Point of the Right that is left in the governed Society to preserve it self from Ruin and Destruction*: And likewise what good Reason you had to Attack me in such a manner as you have done, or what Provocation I had given you to do it; when you your self (in the 13th Line of that 15th Page of your Letter) are pleas'd to intreat me, *not to think that you are contending for the words Accountable, or Censure, or Punishment*, which, or the like, you seem to grant, are the only Words, or Things that I had found fault with; and when, in the words immedately preceding that your gracious Concession, of my not having touched upon the *Point of the Right left in the governed Society to preserve it self from Ruine*, you say that *all that is contended for with any Zeal is, that there should be such a Right left*. Contend then for this as much as you please, and with as much Zeal as you pl ase; but what Reason, I pray, had you to contend with me about it, who, by your own Confession, *have not touched upon that Point?* What Reasons had you to send a Letter to me upon that Subject, who you grant, have said nothing about it? If I have, in either or both of those Sermons which you express your dislike of, us'd some Words or Expressions not very properly, or have urg'd some Arguments in treating of the Subject I was upon, that are not so strong and concluding as another Man wou'd have urged, yet since my Subject was *Accountableness, Censure, Punishment, or whatever else*

else you please, except *Self-Defence*, What Reason had you to write a Letter to me about *Self-Defence*, and in that to be so severe upon me for some Slips, which I had made, in a Sermon that I had preach'd about *Accountableness, &c.*? This, I must needs say, looks like picking a Quarrel with me without a Cause. Not but that I am sensible you do give a Reason, such an one as it is, of your writing your Letter to me, (to me I say, but first to the World; for to the World it was publish'd, before ever you sent it me) namely this, [Page 4. Line 19.] That *you was sensible that my Reputation and Authority are so great, that of themselves they are thought, by many, sufficient to fix the Stamp of Truth upon what bears a Name so much honour'd, and respected*: Your Servant, Sir, for that: Well, but what then? What was it, I beseech you, that you was so afraid *my Reputation, &c.* should *fix the Stamp of Truth upon*? Was you afraid that they would give such a Currency to the Words *Accountable, &c.* or if you please, *Unaccountable, Uncensurable, Unpunishable*, as the Royal Stamp does to coined Money? No, that cou'd not be your Reason, for you *intreat me to think that you are not contending about those Words*. Or was you afraid that my *Reputation, &c.* should fix that same *Stamp of Truth* upon the Notion (so much abhorred by you) *that there is no Right left to the governed Society to preserve it self from Ruine*. No; neither cou'd that be your Reason; for that you knew, was a Point I had *not touched upon*: Some other Reason then, you must think of, to give of your writing that your Letter to me; which, but for its cavilling at a few Passages in my Sermon, you might as well have written to any other Man. And till I can hear of a better Reason from you, then what you have yet given of this your violent Assault upon me, I shall not forbear thinking, that the true Reason of it was, because I am (tho' unworthy, yet by

by God's Permission, and the Queen's Favour) a *Bishop*: And a *Bishop* is thought by some People to be a sort of an Ecclesiastical *Governour*; upon which account, tho' other Men, *Presbyters* or *Deacons*, have doubts, as well as I, written uncorrectly, and argued weakly or inconsistently, yet you might think it more agreeable to your own Principles, as well as more for the Honour of your own assur'd Victory, to single out and set upon a *Bishop*, rather than any other Man, that was more undoubtedly your Equal or Inferior.

But 'tis time now that I should begin a more direct and formal Answer to your Letter: And because in the Course and Circumstances I am now in, I must not sit long at a time, to this work, nor can so conveniently frame and carry in my Mind the whole Scheme of an Answer at once, therefore that I may be the surer not to overlook any thing in your Letter that is material, or requisite for me to give any Answer to, I'll follow you Page by Page, and Paragraph by Paragraph; and to save my self, as much as may be, the trouble of writing, I'll seldom, unless when I can't avoid it, transcribe your words: But desiring my Reader (for by the Method that you have begun, my Letter too must have other Readers besides your self) to have your Letter before him, at the same time that he reads my Answer to it, I shall then leave it to him to judge, whether the Answer I make to those Parts of it which I shall Answer, be to the Purpose, and whether the Reasons I give for my not answering those Parts of it, which I shall not trouble my self to make any Answer to, be sufficient. And now to my Task.

What follows in your Letter, *Page 4.* after the Reasons you have thought fit to give of your writing it, to the End of that Section, I take to be a meer Compliment, and as such I accept it; acknowledging never-

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nevertheless, that (as the saying is) 'twas more your Goodness than my Desert.

In the next Paragraph, Page 5. you say I have in my Two *Accession Sermons* given such an account of my Judgment concerning the *Duty of Subjects*, and the *Original and Authority of Governours*, as seems to give *just ground* for an *Examination* of it. I grant this; and so wou'd any other Judgment that I cou'd have given upon these Points; therefore pray examine it as much as you will.

In the Three following Sections, Page 6, 7, 8. you pick out some Passages in those Two Sermons, which, you say, you design to *make further use of*, and to shew to be *inconsistent* with some other *Particulars* in those same Sermons, or to be such wherein you are *forc'd to differ from me*. I am sorry, Sir, that you and I should differ about any thing, especially about any Matters of such *great Importance*, as you say these are. And I am still more concern'd that I should differ from my self; But whether I do so or not, shall be consider'd in its proper Place; and if there should seem to be some little difference between us, yet, I and my self being old Acquaintance, and very good Friends, I hope it may easily be accommodated.

At the End of Page 8 you except against an Argument or Inference, which you say (how truly shall be seen by and by) I had drawn from the Magistrates being called *the Minister of God*, viz. that therefore *there is none above him upon Earth to question, censure, or punish him*, and that *he is accountable to none but God*; and in the Eight following Pages you offer Five Reasons against it, which I shall now examine.

Your First is, Page 9. That the Magistrate is called not barely the *Minister of God*, but *the Minister of God for Good*; That is, as I suppose, *the End of his Institution by God was the Good of the governed Society*;

Society; and this Point, which you are here pleas'd to put me in mind of, I my self was not forgetful of in that Sermon in its proper Place. But, granting this, does it therefore follow, that there is any Body above him upon Earth, to *question, censure, or punish* him, in Case he does not do that Good to the governed Society that he shou'd do? Or that he is accountable to any besides God? So blind am I, that I can't see the Reason of that Consequence. That he is accountable, and punishable, if he does not do his Duty, I have granted, yea and contend-ed for too, even in that very Sermon, tho' Preach'd before our Sovereign Lady the Queen; and, I believe, she liked my Sermon the better for my saying so: The only Question is, *to whom* the Magistrate is accountable, and *by whom* he is punishable, and I say indeed that it is *to and by* God, and *to and by* none else, because there is none else but God above him. And I humbly conceive, that if you will not agree to this, either you must hold, that he is not accountable at all, not even to God himself, (which is higher I'm sure than the very Tip Top of Torism) or else you must hold, that there is some Body above him upon Earth; contrary to what you have, I suppose, more than once solemnly declared in the Presence of God, and even to God himself, when you told him, I hope in more than a Compliment, that He was *the only Ruler of Princes*; tho' I won't be po-sitive that you have ever said this to Him since the Printing of your Sermon and its Defence. But let that pass; If the Magistrate be accountable to any Body upon Earth, let us find out, if we can, *whom* it is to: Now in a Society there are only Two Parts, the *Governing*, and the *Governed*, as you your self well distinguish; The *Governing Part* I take (under Correction) to be the *Magistrate*, and the *Governed Part* those who are commonly called Subjects; If therefore the *Governing Part*, that is, the *Magistrate*,

be

be accountable to any upon Earth, it must be to the *Governed Part*, that is, to his Subjects; for there are none besides them Two in the whole Society: And to say, that the *Governing Part* is accountable to, and punishable by, the *Governed Part*, seems to me, (to wiser Heads it may appear otherwise) just the same as to say, that the *Governing Part* is the *Governed*; and the *Governed* the *Governing*. For I can't, for my Life, but think, that there is more of *Government* exercis'd in Questioning, Censuring, and Punishing, then there is in being Question'd, Censur'd, and Punish'd.

Your Second Argument (pag. 10th) against my Argument is this, That *Every Person in the World, who is the Instrument of Good to us, is the Minister of God to us for Good*, and that *this may be affirm'd of them without any such universal and unlimited Inference as this*. I Grant it; and therefore if the Apostle had said, That *the Subject is the Minister of God for Good to the Magistrate*, as he certainly is, being at great Charges in paying Taxes, and sometimes hazarding his Life to support his Princes Dignity and Power; I think I shou'd not have made that Inference, tho' perhaps you might: But I consider'd (and so I suppose wou'd any Man but Mr. Hoadly) that the Person the Apostle was there speaking of was the *Higher Power*; or if you please, for so I confess I understand it, the *Highest Power upon Earth*; and from the Apostle's affirming, that he, as such, is the *Minister of God*, or that he has a Commission from God to Exercise the *Highest Power*, I still think that the Inference was very just; For if he holds the *Highest Power upon Earth by Commission* from God, and to *question, censure and punish* be Acts of Power, (as truly I take 'em to be) then I think it does very plainly follow, that none but God can question and punish him: because there is none upon

upon Earth, that is or can be higher than the Highest Power upon Earth.

Your Third Argument (*pag. 10 to 14.*) is *ad Hominem*, and to this effect, That the Magistrates receiving a Commission for one particular work, ought not to be an Argument (*in my own Judgment*) to prove that there is none upon Earth that may question, censure or punish him; Because I my self, you say, have contended that the Magistrates Commission is not absolute and unlimited, but confin'd to one Purpose, *viz.* that of Civil Government; and also that for another Purpose the Ecclesiastical Officers have likewise receiv'd a Commission from God. Where, by the way, I can't but take notice of your foully misrepresenting my Sense, when you say, that I have confin'd the Magistrate's Commission to one Purpose, *viz.* that of Civil Government; whereas, I am sure, that in that very Sermon, I have expresly asserted, that the Highest Power, or Supreme Magistrate, is Supreme Governour over all Persons, and in all Causes: which I think is more than to limit his Commission to one Purpose, *viz.* that of Civil Government. But let this pass, and let us see whether there be any thing in the Argument it self that proves the falsehood or unwarrantableness of my Inference, *viz.* That the Magistrate being commissioned to his Office by God, is accountable for Male-Administration only to God, and not to his Subjects. And I confess I am at a great loss to find where the force of it lies, or where you meant the force of it should lie, tho' to find it, I have read over the whole Paragraph two or three times.

* One while I thought it might be design'd in those Words, (*pag. 12th*) As the Commission of the Ministers of the Gospel cannot exempt them in Cases wherein they are void of all Authority, and to which their Commission reacheth not; so cannot it be proved barely from their Commission, that Magistrates are in a more exempt

exempt condition. But I cou'd not discern any force in this, because tho' a Commission to a Priest may not place him above all Humane Controul in Cases without his Commission, *i. e.* in Secular Cases, wherein he is most certainly subject to the Magistrate, yet a Commission to a Man to be Supreme Magistrate, and to exercise the highest Power, may well be suppos'd to include in it such an Exemption; Because no Man can censure or punish him, in any Cause, or for any Crime, and consequently not for exceeding his Commission, who is not higher than he, that is, who is not higher than the Highest, which none is but God, who gave him that Commission.

Another while I thought the Force of your Argument might be intended to lie in those other Words (Page 12.) *The Magistrate (as I, you say, observe) can act with Authority no further than his Commission reaches, consequently he can have no Superiority any further, and consequently his Superiority vanishes in those Instances in which he acts without or against his Commission.* But neither do I see any Force in this Argument: For I can grant all this, and yet still hold and maintain my Conclusion, *viz.* That the Highest Power upon Earth is, for any Male Administration, accountable only to God. For admit that he can act with Authority no further than his Commission reaches, admit that he has no Superiority any further, and admit that his Superiority vanishes in those Instances in which he acts without or against his Commission; all that seems to me to follow from hence is, that his Subjects are not bound to obey him in those Instances; (which is what I have expressly granted more than once in that Sermon) but it does not therefore follow, that he thereby ceaseth to be a Magistrate, as that thenceforward his Subjects are not bound to Obey him in any thing; nor does it at all follow from thence, that his Subjects may Controul, Censure, and Punish him for doing what

what he had not Authority from God to do; for still, if the Power that was granted to him by the Divine Commission was the *Highest Humane Power*, tho' he exceeds the Powers of his Commission, and so far has no Superiority, he may, and, I think, must remain to be the Highest Humane Power, until his Commission to exercise the Supreme Power shall be vacated, or taken from him by that Authority which gave it.

And therefore I shan't need (in order to maintain my Conclusion) to prove either of those Two Points which you put upon me to prove; whereof the First is, *That the Commission given by God to Magistrates gives them a positive Authority to act against the Ends of their Institutions, and the Design of their Commission.* Now this, I say, I shan't need to prove, because without proving, or so much as believing this, I may believe and hold, that tho' they *act against the End of their Institution, and the Design of their Commission*, they are yet for their so doing accountable only to their Superiors, that is, if it be the Supreme Magistrate that is spoken of, only to God. And being not under any Obligation to prove this, I say further, that I will not prove it, nor go about to prove it, and that for another very good Reason, *viz.* because I don't believe it. The other Thing which you wou'd put upon me to prove, and say I *must* prove, if I can't or won't prove this, is, *That Magistrates (the Supreme Magistrate I hope you mean) remain Supreme, even in those Cases in which they have no Authority, and in which they cannot be the Ministers of God, tho' it be their Authority only, and their being the Ministers of God, that gives them this Supremacy.* But now, to shew how croſs I can be, I won't prove this neither, nor will I own, that in order to maintain my Conclusion, *viz.* *That the Magistrate is not accountable to his Subjects,* I have any need to prove it. For admitting that in those

those Cases wherein the *Magistrate* has no Authority, he does not retain his Supremacy, (good Reason why, for he never had it) so as to have a Right to exact Obedience from his Subjects in those Instances; he may nevertheless so far retain that Supremacy which he had before, as not to be Subject to their Censure or Punishment. For to warrant them to Censure or Punish their Governor, it is not enough that they are able to prove, that he has exceeded his Commission, (that only qualifies them to be Complainants or Witnesses against him) unless they can likewise shew, that they have a Commission from a Power Superior both to him and them, to question, censure, and Punish him for his so doing.

And this, I still think, is well enough illustrated by the Instance I gave in my Sermon (you say very unfortunately, I think fortunately enough) of *the Mayor of a Corporation, who after his Election is not accountable to those that chose him, but to the Queen, by whose Commission he acts.* You say indeed, that *the Commission given to this Mayor makes him not Superior to any in the Corporation, unless it be in the due execution of his Office.* I say on the other side, and I must believe it too, till I am otherwise instructed by such as understand the Constitution of Corporations better, that the Commission given to the Mayor does make him Superior to any in the Corporation, sleeping or waking, and whether he duly executes his Authority or not; and that his neglect of his Duty, or Male-Administration of his Office, do not, *ipso facto*, and without further Judicial Proceedings against him deprive him of his Superiority, during the Term of his Commission; and likewise, that of such neglect or Male-Administration, the Queen, or Persons Commission'd by Her Majesty, and not any or every Freeman in the Corporation, are the proper Judges. You say further, that *the Supreme Governour will not cen-*

sure or punish any Freeman for opposing this Mayor in any Cases but those to which his Commission reacheth : Truly I can't tell what the Supreme Governour will do; for that is e'en as he pleases, or as he is in the Humour; and as to what he may or shou'd do in such a Case, I leave it wholly to the Lawyers to declare; Because indeed the Case you put is nothing at all to the purpose; for the only Question before me, or which that part of my Sermon led to, was, whether the Freemen, or any Freeman that pleases, of the Corporation, can, without Commission from the Queen, sit in Judgment upon the Mayor. You say still further, that the Queen's Commission does not exempt him (the Mayor) from an Equality, with other Freemen, in other Instances. And so let it be, since according to your levelling Principles you will needs have it to be so, let him be equal to the rest in all other Instances, yet still my Opinion is, that this Equality will not make them his Judges; a little Superiority, I think, is requisite for that. Ay, but, say you, *In all Cases when the Danger is imminent, Violence is allowed to be repelled with Violence, and the same Behaviour which is allowed in the Case of Equal:* And thus we are insensibly gone off from the Point of *Censure, Judgment and Punishment* to that of *Self-Defence*; on which Subject, you may, for all me, Preach and Write with as much Zeal as you please; because that being (as you grant) a Point which I have not toucht upon yet, I am resolv'd not to meddle with it now.

Your 4th Reason (Page 14th) against my Inference, is, That St. Paul might possibly in that saying of his, *He is the Minister of God*, have some Respect to the *Deputed Magistrate*, as well as to the *Supreme*; so that consequently the *Magistrates* being called the *Minister of God*, is no Proof that he is not accountable to any but God. True:

But

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But tho' St. Paul might in that Saying have some Respect to the Deputed Magistrate, yet 'tis more certain that in it he had Respect to the Supreme Magistrate; The *Higher Powers*, the Person there spoken of, or if you please the *Highest Power*, being most eminently the *Minister of God*, whereas other Magistrates are so only in subordination to the Supreme: And therefore if I also in my Sermon had chiefly a Respect to him, nay, and if in making that Inference I had Respect to him only, I hope I may be excus'd, especially when the very Nature of the Inference plainly shew'd, that I had at that time Respect to him, and only to him; and I verily believe that not one Man that has read my Sermon, not even Mr. Hoadly himself, ever thought that I meant there to speak of any other than only the *Supreme Magistrate*. And, indeed, how should he? When I my self had, in that very Sentence which is excepted against, expressly declared that I did mean him, and none other. For, after having allow'd, that according to the Constitution of some Countries (particularly in Elective Kingdoms) the Nomination of the Officer, even the Supreme Officer of all, may be in the People, I then add these Words (Pag. 7.) *Even in this Case, tho' the People Name the Person, they don't give him his Authority; They Chuse the Officer, but when that's done, he is God's Officer, not theirs; he is the Minister of God, not the Servant of the People.* —— And if it be the Sovereign Power of all, which, according to the Constitution, he is, by Virtue of such Election, chosen to, being possest of that, he has no Superior but God, he has none above him to Question, Censure or Punish him. And *who so resisteth the Power, resisteth the Ordinance of God.* Which Words I have here transcrib'd, not only to shew, that it is the Supreme Magistrate I am there speaking of, when I say he is punishable only by God, but also to let the Reader see your manifest

Falsification in this Argument: For by Reading this your Fourth Reason, he will naturally be led to think, that the Unaccountableness which I asserted to the Supreme Magistrate was grounded only upon his being called by St. Paul the *Minister of God*; Whereas indeed I did not ground it at all upon that Phrase; but I grounded it only upon his having *no Superior* but God, and upon his having *none above him*, upon Earth, to Question, Censure, or Punish him; and his *Superiority* or *Supremacy*, was the very thing supposed in the Case as it was put; *If, say I, it be the Sovereign Power of all that he is chosen to, and possess of*, then he has no Superior but God, &c. If this ben't Cavilling, I don't know what is.

Your fifth and last Reason (Pag. 15.) against that my Assertion (or if you will have it so, my Inference from the Words of the Apostle *He is the Minister of God*) is this. *I must intreat your Lordship not to think that I am contending for the Words Accountable, or Censure, or Punishment; I know none who are sollicitous about them; all that is contended for with any Zeal is, that there should be a Right left in the Governed Society to preserve it self, &c.* I call this your Fifth Reason against my Assertion, because I find it in your Letter numbered as such: Otherwise I should rather have thought, and called it a good Reason to shew, that the Four foregoing Reasons were nothing to the purpose, and might as well have been spar'd. For if all that I had contended for was the Supreme Magistrate's Unaccountableness to any but God, (as will be evident to any Man that reads that Part of my Sermon, and is in effect granted by you, when you allow that I have not touch'd upon the Right left in the Governed Society to preserve itself) and if you are not contending for the contrary to this, (as you here intreat me to think you are not) nay if Accountable, Censure,

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or Punishment are Words or Things which *none that you know of are solicitous about*, methinks for Peace sake, or for old Acquaintance sake, or for some other little Reason, you might have let my Assertion or Inference have passed; and have said nothing to the contrary: But to give Four such killing Reasons, as you have done, against it, and then, as if they had not been enow, and to make all sure, to add this Fifth Knock-down Reason over and above, This, to a Friend especially, was cruel and unmerciful beyond measure.

What follows in that and the next Page, is only about Self-Defence, or *the Right that the Governed Society (as Subjects, Children, &c.) has to preserve itself from Ruine and Destruction*; a Point (as you grant) *not touch'd upon by me as yet*, and which therefore I am resolv'd to lay nothing of now.

And now I come to the Second Part of your Letter, (Pag. 17.) in which you take me to task for asserting that *the Power of the Magistrate is from God*, (*immediately from God*, you say, but I don't remember I us'd that Word) and endeavour to invalidate the Reasons I brought for it.

My First Reason, you say, is, *That the Power of the Magistrate, particularly that of cutting off Evil-doers, is such a Power, as the Magistrate can't have from the People, because 'tis what they themselves never had, nor cou'd have.* And I grant that this is the Sense of my Argument.

In Answer to which you affirm; *That for the sake of publick Good a Man is allowed to have such Power over his own Life, as to contract, that, when that requireth it, it shall be given up:* Which is all that is pretended to in the Case of Civil Government. And this, you say, is plain from hence, that, when a Soldier voluntarily Lists himself into the Service of his Country, he contracts in effect to this purpose, that, when his General Commands him, and it becomes ne-

cessary for his Country's Good, he must and will venture where he is sure to lose his Life. Where, by the way, if I was as much dispos'd to carp at Words and Expressions as you are, I might ask, how a Man can be said to venture where he is *sure* to lose? For a Venture is properly where there is some Uncertainty; a Possibility, a Hazard, or a Probability there may be; but where there is a Certainty of the Event, there is no Venture. And yet, indeed, I must grant that you had some Reason for expressing your self after this manner, because unless you had done so, your Argument wou'd have lost all that Force which now it may seem to have: for then the Sense of it wou'd have plainly appear'd to be, as if you had argued, That a Man had Power over his own Life, because, for publick Good, he may exercise such an Employment as can't be exercis'd without hazarding his Life; he may, for Example, be a Builder even at the Top of St. Paul's, or he may be a Sailor, or he may be a Miner, or he may be a Physician, or he may undertake the Business of tending, or carrying to the Grave, People that are Sick, or that have died of the Plague; and by the same Reason he may be a Soldier; because, tho', in the Exercise of the Military Employment, a Man may truly be thought to run a greater hazard of his Life than in several other Professions, yet 'tis very much for the publick Good that some should be of that Employment: And after all, tho' a good Soldier must needs very often run the hazard of his Life, yet he is not sure that he shall meet with his Death in the Field of Battle. The Duke of Marlborough (to his Immortal Praise be it said) has very frequently run this hazard, for his Country's Good and Safety, and yet (God be thanked) he is still alive; and long may he live, even when his Queen and Country shall have no further occasion for his Service in the Field, to enjoy the Comfort of that Repose

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Repose, which he will have been a main Instrument of procuring for us all, and at last, full of Years and Glory, may he die in Peace, and in his Bed.

But because you was sensible that this *might be thought not fully to touch the Point*, (truly I am of Opinion it doth not come near it by a Mile) you add (Pag. 19.) what you seem to think will come nearer to the Case in hand: (but which truly I must beg leave to think is at least another Mile further off from it) *Supposing (say you) no fix'd Magistrate, or General, a Neighbourhood of Persons, in danger from Robbers and Murderers, attempting their Ruine, may jointly consent to go out against these Enemies.* Most certainly they may; Who ever doubted it? But then you add farther, *And any particular Man bath such Power over his own Life, that he may with Honour, voluntarily run upon inevitable Death, knowing that he doth so, in order to sustain the first onset of these Enemies, and for the safety and security of his Neighbours.* And that he may do this great and honourable Thing, I am free to grant; but not upon your Reason, *viz.* because he has Power over his own Life; but for another good Reason that I have to my self: for 'tis but supposing, (which I am in hopes you'll grant, tho' I know another Gentleman, much of the same Sentiment with you as to the Origin of the Magistrates Power, that wou'd not grant it; 'Tis but supposing, I say,) or desiring the Favour of you to grant, that Almighty God has, antecedently to any *Original Contract* made at Horeb, or elsewhere, an absolute Power over all our Lives, and that he has somewhere said, That *we ought to lay down our Lives for the Brethren*; and then the Business is done at once, and the whole Thing may be well enough accounted for another way.

But I must also tell you farther, that neither does this *fully touch the Point*, and beg leave to retort

upon you in your own Words, that *your Argument drawn from the Lawfulness of the Military Employment, and of a Man's exposing himself to the greatest hazard to save his Neighbours, gives the Question a wrong Turn, and is apparently of no weight.* For the Case that I had put was of a Man that had already committed a capital Crime; Murder was the Crime I instanced in; and the Question upon that was, whether this Murtherer, being convicted by his own Conscience might (in order to excuse the Judges their Pains, and the Hangman his Labour) be his own Judge and Executioner; and I said, indeed (which you are not pleas'd to deny) that he may not lawfully be so; and that if he should be so, he'd be guilty of a second Murder; and yet that in this Case the Magistrate has sufficient Power and Authority to Convict and to Sentence, and put to death this Murderer, and wou'd be to blame if he shou'd not do it; (and you are not pleas'd to say any thing to the contrary) from whence it plainly follows, that the Magistrate has more Power over this Man's Life, than he himself has, or wou'd have had in your imaginary State of Nature: And consequently that this Power of the Magistrate, this punishing and avenging Power, is from God who has Power over all our Lives; and not from Men, who have not such Power over even their own Lives.

But *it is*, you say, (and 'tis your second Exception to my Argument) *of small Importance to this Question, whether a Man have any such Power over his own Life or no; if so be that he appears to have it, in some particular Cases, over the Life of others.* And, I say, it is of small Importance to the Question, if he should appear to have such Power over the Lives of others, *in some particular Cases*, unless it be likewise made to appear, that, he hath it in all those Cases wherein the Magistrate hath it: For if he has not,

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not, then all that overplus of the Magistrate's Power, all that Power which He has more than other Men have, or had, cou'd not be had from them, but must be deriv'd from some other Power; and such a Power of the Magistrate I take his *punishing* and *avenging* Power to be; *He is the Minister of God*, says'the Apostle, *a Revenger to execute wrath upon him that doeth evil.* And all that you oppose to this (in the 20th, 21st, and 22d Page of your Letter) is the mention of some Cases, wherein private Men (especially if they be suppos'd in Hobbs State of Nature) may, in their Right of *Self-Defence*, kill those that are endeavouring and labouring to destroy them. A Point I have nothing to say to now, because it is not at all to the Point I was discoursing of in my Sermon: And therefore if you had gone on upon it to the End of the Chapter, you might have done so for all me. One Thing indeed you do say, which makes it look as if you had some little mind to be saying something to the Purpose, but only that you had nothing to the Purpose, to say upon it. It is, Pag. 20. where you say, *That, supposing no fix'd Government, he wou'd be a publick Benefactor who should kill a publick Enemy.* Upon which I crave leave to ask, whether you mean by a *publick Enemy*, one that *has done* Mischief, or one that is *attempting* to do Mischief. For if you mean the Last, that is *Self-Defence* all over: But if the First, I wou'd desire the Man, before he is canoniz'd as a *publick Benefactor*, to shew his Warrant for what he did; (as the Magistrate in that Case can do, being declar'd in Scripture to be *a Revenger to execute wrath*) otherwise some of the State of Nature Men may perhaps take him to be as much a Malefactor, (in killing and slaying Men without any Warrant or Commission) as any of those were whom he had killed. And again I wou'd likewise ask, what you mean by a *Bene-*

Benefactor; Whether only one that does a thing which is *Beneficial in the Event*, or one that does a *Beneficial* thing by *lawful means*, and in a *lawful and warrantable manner*? For if you mean the First, I doubt you must Register, even at the Top of the List, *Judas*, and *Pilate* among the publick Benefactors to Mankind: But if you mean the Last, it may be doubted whether the Non-commision'd Officer you speak of be such a *Benefactor*; and to suppose that he is so, is to beg the Question. Ay, but *Cain*, you say, *thought it but just to fear, that all wou'd be arm'd against a Murderer, as an Enemy to the whole Race of Mankind*: No wonder at all at that, that a Murtherer, especially of his own Brother, should be afraid of every Man he met: For a guilty Conscience is very timorous; and I make no doubt but that many an other Murderer has been afraid even of his own Shadow; but that I take to be no Proof, that any Shadow ever had a Commission either from God, or the King, to be an avenger of Blood.

You close that Paragraph (Pag. 22.) with observing, *That the Parliament hath openly asserted the Original Contract between King and People, as the Foundation of Civil Authority*. Now how this Observation, if it be true, is to your present Purpose, which was to invalidate a certain Reason which I had given to prove the Divine Original of the Magistrate's Power, I can't imagine; unless that being not able to answer my Argument, you was resolv'd however to stop my Mouth, and Silence me for ever upon that Subject, by opposing to me the irrefragable Authority of that August Assembly. For this Reason therefore I might very well have declin'd to take any notice of that Passage; and I had done so, but that, for the Credit of Parliaments, I would not willingly that People should believe, that the *English Parliament* has Authoritatively asserted any other Original

Original of Civil Government, than the Scripture-Writers seem to have thought of; especially being fully persuaded, that your Observation upon this Matter is utterly false and ungrounded. For tho' I must own that I never read the *Original Contract*, (I don't remember that the Parliament order'd it to be Printed) yet I have read the Votes, and the Act grounded upon those Votes, which you refer to; and (unless my Memory fails me very much, and I must trust to that now, not having an opportunity of getting, and consulting the Statute-Book, in the Place where I am) there is no such thing in them as an Assertion or Declaration, (either open or secret) that the Original Contract is the Foundation of Civil Government. I won't be positive as to Words, but all that I remember declar'd, or asserted in those Votes and that Act, as to this Matter, is, that K. James had broken the Original Contract; to which is added, that he had withdrawn himself, and abdicated the Government, or Words to that effect. Whereupon the Parliament, finding no body in the Throne, and not thinking it proper or safe to invite him back who had before broke his Contract with his People, filled it with Queen Mary his next Heir, joining with her (with her Consent no doubt) her Husband K. William: And they Two being in the Throne, and having thereby full Authority so to do, did, at the Petition, and with the Consent of both Houses of Parliament, make that Settlement of the Crown, and Limitation of the Succession, which we have been since, are now, and, I hope, ever shall be happy in.

And now, in requital for your Observation, and because you are pleas'd to appeal (as it were) from Scripture to Acts of Parliament, I cou'd observe to you, that there are (and if you require it, and will but allow me the Use of a Statute-Book, and sufficient Time for it, I'll undertake to name to you) at least

least Ten Acts of Parliament, wherein it is declar'd, as openly and plainly as Words can declare any thing, that the K. of *England* holds his Crown from God, is subject only to God, and that none in the Nation have any Coercive Power over him.

My Second Reason (as you number it *Pag. 23.* for 'tis a Thing I only glance at, but don't number as a Second Reason) for the Divine Original of Civil Authority in the Magistrate is, that *this Position* [the Sovereign Power of the Supreme Magistrate is deriv'd to him from this Aggregate Body of the People, as by their Grant or Concession] is directly contrary to what the *Apostle* here affirms, viz. that *there is no Power but of God*. A way of Interpretation, you say, which will as well prove all *Usurpers*, all *Robbers in Power*, to have a Commission immediately from God. Pray, Good Sir, where have I interpreted those Words of the *Apostle*? Not in that Place I'm sure; I only barely cite the Words, I only simply affirm, that the *Position* before mention'd is directly contrary to them. And that the Reader may the better Judge, whether it be so or not, I'll here present the Matter to him in another View.

Rom. xiii. 1.

There is no Power but of God: The Powers that be are ordained of God.

The Position.

The Sovereign Power of the Supreme Magistrate is derived to him from the Aggregate Body of the People, as by their Grant or Concession.

If the Reader does not see a Contradiction between these Two Assertions, I can't help his Eyesight, nor his Understanding: I make no Gloss at all upon the Text, I give no studied and elaborate Interpretation of it; that belongs to those to do, who would have it

it thought that there is not a Contradiction between that Text, and this Position.

But you say, 'The Apostle's Words taken in the Sense wherein I interpret (I suppose you mean understand) them will as well prove all Usurpers, all Robbers in Power, to have a Commission immediately from God. But that's your Mistake now; and by this I perceive plainly, that you don't know how I understand, or how I wou'd interpret those Words of the Apostle: For, to tell you the naked Truth, I understand those Words as having relation only just to that one particular Subject or Matter which the Apostle had been before speaking of, and which he continues to discourse of in the following Verses; that is, only to the Higher Powers, and to the Authority of those Higher Powers. I don't believe, that the Apostle had then the least Thought about the Sabeans, and Chaldeans, by whom Job was plunder'd of all that he had; tho' he, good Man, was pleas'd to say, *The Lord gave, and the Lord hath taken away:* And when the Apostle says, *There is no Power but of God,* I understand him to have meant, that there is no such Power, i. e. no Magistratical Power, but what is from God, or, which is all one, that the Magistrate's Power is of God; and why my saying this, and supposing that the Apostle meant this, should be urg'd by you as an Argument, that I do believe, or that by the same Reason I ought to believe, that all Usurpers, and Robbers in Power have a like Commission from God, is past my skill to discern.

Ay but, say you, (Pag. 24.) *You your self are please'd to maintain* (you shou'd have said grant) that *the Forms of Government, and the Persons governing are not always pointed out by the immediate Voice of God.* And 'tis true indeed, that I do grant this; and the Reason why I granted it was, because it does not appear to me, that they have been always

always so pointed out; and besides, I thought I might grant, that they are not so pointed out, and yet not give up the other Point, viz. that *their Governing Power or Authority is from God*: For so, (as I illustrated the Thing) tho' the Queen does not appoint the Person that is to be the Mayor of a Corporation, but leaves his Nomination or Choice to them; yet his *Governing Authority*, when he is chosen and sworn Mayor, is from the Queen, and not from the Corporation. Now that the *Governing Power or Authority* of the *Magistrate* is from God, I have asserted, and, I think too, proved; if you think that the Divine Nomination of the Magistrate may be proved by the same Reasons, and from the same Texts, that is a Point I have not meddled with, but left to you to make out, when you shall be at leisure, and in the Mind to do it. That the Power of the Magistrate is from God, I argue from those Words of Scripture [*by me*] [*of God*] and [*ordained of God*] which I can't but believe to be meant either of the Magistrate's *Nomination*, or of his *Power*; and because it does not appear to me, that they were meant of his *Nomination*, I conclude that they were meant of his *Power*: If you will not grant that they were meant of his *Power*, I leave you to prove that they were meant of his *Nomination*; Or, if you think that they were meant to refer neither to his *Nomination*, nor to his *Power*, I desire to know what else you think they were meant to refer to; Or, if you can think of nothing else that they can be referr'd to, I beg you to inform me to what purpose they were us'd at all.

My Third Argument (as Numbered by you, Page 25.) to shew that the Magistrate's Power is not from the People, and consequently is from God, is, because the People can't be thought to have been ever in Possession of such Power, but upon the supposition of a thing false in Fact, [viz. That there were

were a great Number of Men living upon the Earth, before the Institution of Civil Government, which whole Multitude had then by natural Right the same Power over single Men, which is now exercis'd by the Magistrate.] And that this supposition is false in Fact, I argue from the History of the Creation, as deliver'd by *Moses*, which says expressly that *Eve*, by her Husband *Adam* no doubt, was the *Mother of all Living*; so that consequently no Man, since the first Man, was ever born, but in a State of Subjection to some Human Power, whose Power over him, cou'd not therefore be deriv'd from *him*. This is the Sense of my Argument; to which you are pleas'd to reply in Seven Particulars, to the End (I suppose) that what was wanting in Weight, might be made up by Number.

Your first Reply is not so much to my Argument as to an Expression in it, which you are pleas'd to carp at: *I grant*, you say, *that this might possibly have been true, in case this Multitude had sprung together out of the Earth; or if they had been all created by God, at one and the same time;* upon which you observe, (pag. 26.) that when I Wrote these Words, I did not remember that I had before maintained, that the Power of the Magistrate cou'd not Originally be in the People, for Reasons inconsistent with this way of arguing: I suppose you meant, (for that is what you shou'd have said) inconsistent with this Concession. Alas for me, that I shou'd be so forgetful. My Memory, I own, is very short, but yet, I thought, not quite so short as you would make it. And perhaps after all it may'nt be so: For I might remember, that I had been before arguing, that the Magistrate's Power was not Originally from the People, because it (*viz.* the Power of Life and Death) is such a Power, as the People never had; and yet, consistently enough, might

might go on and argue the same Point farther, by shewing, that if Moses's History of the Creation be true, (which perhaps I forgot to beg leave to suppose) the Magistrate's Power is such as the People never cou'd have. Certainly, my Friend, if you had not been in such haste to Write your Answer, as not to give your self time to read and consider the thing that you was to give an Answer to, you cou'd never have let fall such a groundless Cavil at my Expression as this is. For when I said, *This indeed might possibly have been true*, What, I beseech you, was the [This] I spake of? Was it not the whole Supposition imminately foregoing, and which I had asserted to be false in Fact; viz. *That there were a great Number of Men living upon the Earth before the Institution of Civil Government.* And what's the difference in Sense, between saying, [This (speaking of a Supposition) might possibly have been true] and saying, [This (speaking of the Matter of the Supposition) might have been suppos'd?] And is there not a great deal of difference between allowing a thing to be true, and, for Argument sake only, granting or supposing it? *Dato, non Concesso,* is, I'm sure, a Phrase that I have often heard us'd at the University in Scholastick Disputations, without any Censure pass'd upon it. But I am ashamed of this Trifling; and therefore, to put an End to it, I give you free leave (if you have a fancy for one of these Phrases rather than the other, or for any other Phrase rather than these) to speak to my Bookseller, that, if ever he shou'd have occasion to Reprint my Sermon, he shou'd alter those Words you Cavil at, and instead of *This [Supposition] might possibly have been true*, you may order him to Print, *This [thing] might have been suppos'd*; or any other Words, that you shall think more expressive of that Sense.

Your

Your Second Reply to my Argument is grounded upon the Distinction, which I allow, between the *Natural* and *Political Capacity* of a Man; from whence you argue (Pag. 27.) *That a Man may possibly be born free in his Political Capacity, tho' not free from all the Subjection due to a Father and Mother in his Natural Capacity;* and from thence you farther argue, that *Mens being born one of another is no Proof, that there was not a Number of Men in the World before the Institution of Civil Government.* To which I Answer, that tho', as the World now is, (and it is of the World, as it now is, that I am speaking in both my Sermons) there is ground enough for the Distinction between the *Natural* and *Political Capacity* of a Subject, and between *Patrial* and *Civil Government*, yet *from the Beginning it was not so:* For then, I believe, the same first Man who was Father, was likewise Civil Governour of all his Children; he had, I verily believe, as much the Power of a Civil Governour, as any King has now. And I believe the same of *Noah* afterwards, at least till, upon Men's Multiplying on the Earth, and going out in Colonies to Places at a Distance, some part of that Civil Power, which was at first solely in *Adam*, or *Noah*, might be delegated to (or perhaps Usurp'd by) the Heads of such Colonies. To prove this in the Ante-Diluvian State, may not be so easie; there being not above Three or Four Chapters in *Genesis* wherein the whole History of that State (after the Creation and Fall) is related: But it was very soon after the Flood, that this Civil Power, the Power of the Sword, the punishing and avenging Power, was commanded to be exercis'd in the Case of Murder; *Who so sheddeth Man's Blood, by Man shall his Blood be shed;* which Command of God either instituted a Civil Government, or supposes it already settled: For who but the Civil Magistrate cou'd judicially put to Death a Murtherer? And

who cou'd be then that Civil Magistrate but *Noah*? And if a Civil Government was settled so soon, I think I may conclude, that it has continued ever since: I'm sure I have not read, at least do not remember to have read, that it has been ever intermitted, unless perhaps sometimes for a short while, by the Power of a prevailing Rebellion; or ever wholly laid aside, unless perhaps in those *Wildernesſt States*, which you make mention of two or three times in your Letter, but of which, I own, I do not know quite so much, as I think I do of the Ante-Diluvian Political State of Mankind. And I hope I may have your leave to say, that wherever a Civil Government is settled, no Man is born otherwise than in a State of Subjection to the Civil Governour of his Country, as well as to his Parents; which is all that I think I shall need to contend for in this Place, because what you farther say in this Paragraph, about Natural Right to Civil Government, may be more fitly consider'd by and by.

Your Third Reply to my Argument (Pag. 28.) is, that *I have mistaken the Question*; that the Thing I shou'd have proved (being what I build upon, when I say that no Man since the First has been born but in a State of Subjection (as to his Political Capacity) to the Civil Government of his Country) *was, that there never was a Time without Civil Government*: And this, you say, I have proved only *by affirming it*; You shou'd rather have said, *by supposing it*. To which I Answer, That, in the short Compas of a Sermon, I had not room to prove every thing; and that this was a thing which I thought indeed had needed no Proof; but might be taken for granted, till the contrary was made to appear. However, to oblige you, I have now, you see, in my Answer to your former Reply, offer'd at somewhat towards a Proof of this Point: And if what I have said be not to your Satisfaction, it may perhaps be enough to satisfy

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tisfie others; at leaft till you shall be pleas'd to oblige the World with some better Proof, that there was a very great Multitude of Men upon the Earth before any Civil Government was establish'd; (of which, being an Affirmative, I may more reasonably demand a Proof from you, than you can from me of a Negative). And when your hand is in, it will be a further Obligation upon the World, if you will be pleas'd to give an Historical Account, *how long that Wilderness-State continued, and to what Publick Benefactor the World is indebted for the noble Invention of Civil Government;* Whether, I mean, it was *Dick, or Roger, or Tumbler, or Towzer,* that first put the Notion of Civil Government into the Peoples Heads, and set 'em all agog upon an Election: For 'tis agreed, I think, on all hands, that those Four were the principal Proprietors in the Isle of Pines, and had more Brains than any of their Neighbours.

Your Fourth Reply to my Argument (Pag. 28, to 31.) is this. *If there be no such thing as a Natural Right to Civil Government, as your Lordship saith, then there must be a State of Equality preceding the Institution of it; and it must inevitably be founded upon voluntary Compact and Agreement, without which no one Person cou'd have any more real authentick Right to it, than another.* And this, it may be you'll say, is such a Proof on your side of the Question, as I just now desir'd; To which I Answer, no, 'tis not so by any Means. 1. Because it begins with an *if*; 2. Because for the Proof of the Thing contain'd in the Belly of this *if*, you bring no Reason, nor so much as any Authority, but only *mine*, who you say have affirm'd it; and therefore granting it to be as you say, that I have affirmed it, yet since you will not allow my Authority to be of any weight in any other Case, I won't allow it to be of such weight in this Case, as to be alone sufficient to determine the Question. But, 3dly, and chiefly, I

deny this to be such a Proof, because you plead my Authority for a thing which I never did, which, I'm sure, I never meant to affirm, in that Latitude, wherein you are pleas'd to interpret my Words.

Sir, The Truth of the Case is this: I have in my first Accession Sermon these express Words Pag. 450. *This I take to be an undoubted Truth, that no Man has a Natural Right to any thing in this World, more than to the Necessaries of Life. Whatever Right any Man has to Estate, or Dignity, or Dominion, except only over the Fruit of his own Body, is meerly Humane; that is, 'tis a Right that is given by the Law of the Land, or the Constitution of the Realm.* I have also in Pag. 451 these Words: *If this be true, that no Man has a Natural Right to the Government of a Kingdom, it remains that the only Right which any Person hath thereto, must be a Legal Right; that is, such a Right as is given him by the Law and Constitution of the Realm.* And there may be, for ought I know, some other Passages in that Sermon to the same purpose. For the right Understanding of which Words, and of my reasonable Meaning in them, I must intreat you to consider the design of them, as apply'd in that Sermon; which plainly was to shew, that none of those who are put by the Succession in the last Entail, or Settlement of the Crown of *England*, have a Natural Right to the Crown: You will please also to consider the Time when that Sermon was Preach'd; it was *Anno Dom. 1704*, it might be perhaps (for I have no Chronological Tables now by me) *Anno Mund. 5704*: and lastly you may likewise please to observe, that I only say, in the present Tense, no Man *has* such a Right; I don't say, no Man *ever had* such a Right. Now, therefore, supposing that no Man now *has* (nor in the Year 1704. *had*) such a Natural Right to Civil Government, it don't therefore follow, that *Adam* or *Noah* had no such Right; Or supposing that in Times of Old, Four or Five

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Thousand Years ago, some Men had such a Right, (a Natural Right, I mean, to Civil, as well as to Paternal Government, according to what you allow me to have said, and which indeed I do say (Pag. 4. of my last Sermon) *viz.* that of the First Kings that ever were in the World, the Title was most probably, only their Paternal Right to Rule and Govern their own Children and Descendants) it does not therefore follow, that any Man now living has such a Right. And therefore in *Anno Dom. 1704*, after the innumerable Changes that had been made in the Governments of all the Countries in the World, (by rebellions, by Conquests, by Resignations, by Usurpations, by legal or illegal Settlements, and Twenty other ways) I might truly say, that no Man had then a Natural Right to Dominion and Power, except only over the Fruit of his own Body: Grounding what I said upon the Truth of a known Rule in such Cases, *Idem est non esse, & non apparere;* For I take it, that a Right not in Possession, is no Right till 'tis made out; and therefore, because I believe that no Natural Right to any Civil Government can now be made out, I made bold to say roundly, *There is no such Right.* Notwithstanding which I may and do believe, that both before, and also ever since that sort of Right ceas'd, by its not being possible to be proved, there has been in all Ages, and in all Countries of the World (except only in your *Wilderness-State*) some Civil Government settled; and that in every Government there is a Supremacy, or Supreme Civil Power, lodg'd somewhere or other, (in one, or in more Hands, according as the Constitution is) and consequently that no Man, since the First, has been born into the World, (unless in these *Wilderness-States*) but who was born in Subjection to, or was (if you'll allow of a Phrase which I assure you is a Legal one) a *Natural-born Subject* of the Supreme Governor of that Nation or Country wherein he was born.

And whereas in this same Paragraph you are pleas'd to express some wonder, to find me, as you say, *urging such Arguments as seem inconsistent with my own Concessions*, by which, I suppose, you wou'd mean to insinuate, as if there was an inconsistency between my former Concession, that *there is no natural Right to Civil Government*, and this Assertion in my last Sermon, that *The Title of the first Kings in the World was most probably their Paternal* (which is a *Natural*) Right; I leave it to the Reader to Judge, whether there is such an Inconsistency therein, as deserves your wonder, or was sufficient to cause you to *express astonishment* at it. However for the sake of these and some other Passages, which you are pleas'd to carp at as inconsistent, I can't but think it my great Misfortune, that when you was writing this Letter to me, you was not in that good Mood, in that same Reconciling Temper, that you was in, when you Pen'd your *excellent Sermon*, and its Defence: for I can't but fancy (it may perhaps be Self-love which makes me think so) that it would not have required near so much Art and Pains, to reconcile me with myself, in those Places wherein we may be thought most to differ, as it did to reconcile the Doctrine taught by St. Paul in *Rom. 13*, and by the Church of *England* in the Articles, Liturgy, and Homilies, with the Notion of the People's being the Original of all Civil Power, and with the Lawfulness of Resistance and Rebellion, whenever the People shall judge it necessary. But we ha'nt yet quite done with the *Wilderness-State*; for

Your Fifth Reply to my Argument (*Pag. 31.*) is grounded upon an Observation you make, that *there are at this Day, and have been in every Age, Instances of People in the unciviliz'd Parts of the World, without any establish'd Civil Government.* There are, you say, and *There have been* such: Well,

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Well, 'tis a mighty Advantage to a Man to have been a great Reader and a great Traveller ; such an one must needs know abundance of Things which another Man would never have thought of. But as to those poor Wretches you speak of, I pity them with all my heart. What, without Government ? why they had e'en as good be without Rain and Clouds, without Moon and Stars, nay and without Sun too ; and of all the Countries in the World, I'm sure I shou'd never have chosen to Travel into those Parts ; I'd sooner have gone into a Wilderness of Wild Beasts. But 'tis very much that some of their Neighbours are not wiser than these People, nay and kinder too to them than they are to themselves, by forcing 'em to be under Government whether they will or no. No, say you, that can't be, at least, that must not be ; for, as you go on, *If ever Government comes to be rightfully settled among them, it must be by voluntary Compact and Agreement.* Worse and worse still ; For there must be many a bloody Nose, I'll warrant you, before they'll all come into such a *voluntary Compact* : And if it be made otherwise than with a *Nemine Contradicente*, there will want somewhat of *Rightful* in it ; for the People are suppos'd by you to be all equal, in a *State of great Equality* ; and in that Case I don't see how the Men (if by a wonderful Chance they should be all of a Mind) can conclude the Agreement without a like Unamious Consent of the *Women*, nor how they can both do it without all the *Children's Consent* ; and tho' a *tacit Consent* might be thought sufficient in those, who, if they had not liked the Agreement, had Power to declare their *Dissent*, and enter their *Protest* ; yet why those, who can't write nor speak at all, shou'd be presum'd to give a *tacit Consent*, I can see no good Reason. So that if this *voluntary Compact and Agreement* be the only possible way, by which Government can

ever be settled among them, I see no Remedy but they must e'en fight it out till Doom's-day parts 'em; unless they shou'd all happen to be kill'd before that time. But I remember I have read a Story; 'tis, I think, in the famous History of *Æsop*, who, I assure you, tells abundance of pretty old Stories, which (especially with Sir Roger's Comment upon them) may be very instructive. By saying which, I wou'd not however be understood to mean (and to prevent Mistakes and Misrepresentations, I do hereby profess that I do not mean) to declare my unseigned Assent and Consent to all and every thing contained in that Book: No, the Book is I believe at least as big as a Common-Prayer Book, and I don't know what odd Passages may be lurking in some Corner or other of it; there may be, for ought I know, some Expressions in it as hardly reconcileable to my Nations, as there are in the other Book to yours; For, whose Minister she is, whose Authority she hath, and the only Ruler of Princes, &c. are stubborn Expressions; and I wou'd not, by too hasty a Declaration be forc'd upon the deadly Trouble that there sometimes is in reconciling seeming Contradictions: But I had almost forgot my Tale; It is, Sir, of a certain Bog-trotting Generation, which (being without a King) took another course than what you speak of to get them a King; they pray'd to Jupiter, the Story says, and He (how rightfully I won't determine) sent them a King; First, one that they did not like, and after that another that was ten times worse: And then, poor Creatures, how glad wou'd they have been, to have been restor'd to their pristine State of perfect Equality? But that cou'd not be; they were chain'd down to Slavery; and tho' they had never, for ought appears, given up the Natural Right of Self-Defence, it did them no manner of service; they had no Remedy left but Patience. But here perhaps you'll object and say, that

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there seems to have been a voluntary Agreement of all these Frogs, at least to the Petition which they presented to *Jupiter*: and therefore, to be more grave, as well as to come closer to the Point, you may remember, that the poor *Israelites* in *Ægypt* (consider'd as a distinct People from the *Ægyptians*) were during their continuance in that Country as well as afterwards; in a sort of *Wilderness-State*, (tho' I won't be positive that there was a *perfect Equality* among them because, if there was but such a perfect Equality among all the Heads of their Tribes, 'tis all one to my purpose) and you may remember, that then God, to save them the trouble of an Election, and of drawing up the Articles of an Original Compact, and, for ought appears, without so much as asking their Consent, was pleas'd to appoint them a Civil Governor of his own Nomination, I mean *Moses*, with just so much Power as he thought fit to give him: And you may remember that he did the same Thing for them several times after that. And his Right to do this, will not, I hope, be disputed by any, but the *Author* of *The Rights &c.* Sir, I don't say that God will always thus interpose to settle Government in all *Wilderness-States*, (that it would be a Favour if he wou'd do so I will dare to say) but I mention this only to shew, that there is one, and so that there may possibly be some other way, of rightfully settling a Civil Government among such People; which you did not think of, when you affirm'd, that it cou'd not be done otherwise than by voluntary Compact.

Your Sixth Reply to my Argument (as you number it, tho' how it opposes my Argument is hard to guess) is Pag. 31, &c. and to this purpose; That if I cou'd demonstrate, that the Authority of Governors comes from God, in the Sense inconsistent with the Supposition of a Contract founded upon a State of Equality, you can't see what mighty Advantage I shou'd procure to
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the Cause I defend. Truly, Sir, I think I shou'd thereby procure all the Advantage to the Cause I defend, that I ever propos'd or desir'd; For, Sir, to be plain with you, I think I shou'd gain my Point; and if you don't see this, that's none of my Fault. For the only Point I was concern'd about, in the handling of that Argument, was indeed this very thing; *viz.* (as you are pleas'd to express it, for I must own I did not use just the very same Words) *That the Authority of Governours comes from God in the Sense inconsistent with the Supposition of a Contract founded upon a State of Equality.* I desire the Reader to look into that part of my Sermon (Pag. 10.) and to see with his own Eyes, whether that ben't the very Point contended for: And therefore I say it over again, that if that Point shall be demonstrated, I shall gain my Point; and I beg leave to say farther, that if I have demonstrated it, I have gain'd my Point. And is not that now a mighty Advantage to the Cause I defend? Truly, I think it such an Advantage, that I rest my self very well contented with it, and desire nothing more.

And as to what follows in that Paragraph (from Pag. 31, to 35.) I shall not need to say much, nothing more than only that the Charge, there insinuated against me, is utterly false and groundless; for I never affirm'd, (which is all that in those Pages you offer to disprove) *That the Authority which the Magistrate has from God is such as Commissions him, if he pleases, to ruine his Subjects.* Yes, you say, I have affirm'd, (and for that we must go back to the Sermon in 1704.) That it is in the Power of the Supreme Legislative Authority to make what Alterations it pleases in the Form and Manner of the Government: and that I have said somewhat to that purpose I grant; but I am sure I never said, that the Legislators may lawfully and warrantably exercise this Power to the Ruine of their Subjects. I might say

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say that a Change, made by the Legislators, in the Form and Manner of a Government, is as regularly made, as any such Change can be made; and that, being made, it is so far valid as to bind the Subjects: But I'm sure I did not say, that every such Change, only for its being made by the Supreme Legislative Power, must needs have been necessary, just, and reasonable in itself. I might say that the whole Legislative Power might make such a Change: but I'm sure I did not say, that, in case the Power be in more Hands than One, (as with us it is) one Part of the Legislative Power, without the Consent, and against the Will of the other Part, might regularly make such a Change. I might say, that the Subjects of any State, supposing them to be Subjects and not *Sovereigns*, (which you, grounding your Notion upon a Supposition that all Governments arose from Election of the People, and that in such Election they always reserv'd to themselves a Sovereign Power over their Elected Governours, do suppose them to be; I might I say affirm, that the Subjects of a State) are bound to acquiesce in any Alteration in the Manner of Government, made by the Sovereign Legislative Power; and have no Appeal left but to God, the only Ruler of Princes, and Supreme Governor of the World: But I'm sure I did not say, that the Supreme Legislative Power can never aggrieve its Subjects, or that it can never make any Alteration in the Manner of Government, or the Constitution, contrary to the Will of God, or that it has Commission from God to make any such Alteration. I appeal to the Reader, (desiring him first to read over carefully and attentively all that Part of my Sermon in 1704. which you refer to) whether I have affirm'd any thing more in that Sermon, than what I have now allow'd, that I did say or might say, and be reasonably supposed to mean. And therefore whereas (besides some other scurvy Hints elsewhere in that Paragraph, and

and indeed throughout your whole Letter) you have directly charg'd me (Pag. 33, 34.) with saying, in effect, That a King, tied by the Constitution to rule according to the establish'd Laws, has yet a Commission from God to do otherwise; that being (as in Elective Kingdoms) chosen only for his Life, he has immediately Authority from God to Change, by his own Act only, this Elective into a Hereditary Kingdom; and that the Parliament (according to the Stile of those Times when Ordinances of Parliament were in Fashion; for you add) chosen by the People to maintain our Constitution, and enact wholsom Laws (that is the House of Commons only; without King, and House of Lords, who are not among us chosen by the People) receive immediately from God Authority to ruine it, if they think fit, and to consent to the turning it into an Absolute Monarchy, nay to the subjetting it to the King of France, or of any other Country, and that the People are in a State of Damnation, unless they meekly submit to all this, &c: Whereas, I say, you do there charge me with having effectually affirm'd all this, and much more too in that Sermon, I can do no more at present, than only deny the Charge, and plead not guilty; referring my self to be try'd by God and my Country, and allowing any Jury of 12 good Men and true to be that Country, not excepting against any one Person's being on the Pannel but only Mr. Benj. Hoadly, Rector of St. Peters Poor: Till which Tryal shall be over, I desire you to suspend your Wonder at what you call my astonishing Positions, and in the mean time to see what, better Work you can make of it. The Questions, Sir, are, or may, I think, be reduc'd to these Two. 1. Whether the Modus or Form of Government, being suppos'd to be a Humane Constitution, is alterable by any Humane Power whatsoever; and, 2. If, in the Nature of the Thing, it be alterable, what Humane Power it is that can most

most regularly make such Alteration; *i. e.* whether the Legislative Power (wherever lodg'd) may do it alone, or whether the Governed Part can do it by themselves; or, whether, before any such Alteration can be made, (I say *any such Alteration*, for the same Power that must make the Alteration, must likewise judge of what weight and consequence the Alteration is; whether I say, before any such Alteration can be regularly and validly made) the whole Magazine of Original Power must be brought together, so as that not the least Prerogative can be taken from, or added to the Crown, nor the least Liberty taken from, or granted to the Subject, without summoning all the People, great, and little, Men, Women, and Children, Tag, Rag, and Bobtail, to meet together upon *Salisbury Plain*, in such manner as they did, when they first rose up out of the Natural State of *great Equality*. And if, in the Resolution of these Questions, you do not in the main fall in with me, and say, that it is in the Legislative Power, wherever lodg'd, to make such Alterations; and that they who have that Power are the proper Judges, what Alterations are necessary and reasonable; and that 'tis but fit that their Resolutions and Judgment should be acquiesc'd in by all that are subject to their Legislature; I much fear you will be forc'd to advance some Positions much more astonishing, than any that I have really advanc'd. Not but that after all there may be some difference (if you shou'd come over to me in this Point) remaining between us, about the Proprietors of this Legislative Power; who, *I may think*, are, in some Governments only the King, in others, only the Senate, in our own, King, Lords, and Commons; and who, *you may think*, were, are, and ever unalterably must be, in all Constitutions, the Coblers and Tinkers; at least in common with the Gentle Folks of the Highest Rank; because time was (when *Adam delv'd*, and

and Eve Span) when they were all Coblers and Tinkers, Gardiners, and Spinsters, or not one whit better. And if indeed the Propriety of Sovereign Power be wholly, solely, and unalienably in the Populace, then I likewise must grant to you, even according to my own Principles, that the Power of making any Alterations in the Manner of the Government is only in them; and that there is nothing else needful to make all the Scepters and Crowns in the World tumble down at once, to abolish all Senates, and dissolve all Parliaments, but only for them, when *Legion* is met together upon the Plain, to say the Word, *Gentlemen as ye were*. And yet before I grant that, I'll take a little time to enquire, whether in making the late Happy Union between the Two Nations, every Boor's and Highlander's Vote was ask'd, and given, before it was establish'd; and whether in Case there was *one* Dissenter, and tho' the Electors did not expressly Commission the Elected to treat of, and consent to a Union, it be not however on all hands agreed, that *all* stand bound by the Legislature, tho' in so great an Alteration of the Constitution of both Kingdoms.

Your seventh and last Reply to my Argument (Pag. 35, 36, 37.) is only a Proposal of your own Scheine of the Original of Civil Government; which, so far as it is contrary to what I have asserted in my Sermon, has been already consider'd; and to which, so far as it maintains the Natural Right of Self-Defence, I have promis'd (having said nothing of it before) to say nothing now. And therefore whereas you say, *From the whole I think it evident, that the Magistrate hath no Authority, properly speaking, but what the whole Community, or Governed Society, have in themselves, supposing no Magistrate, and consequently none but what may be transferr'd to him by the Governed Society;* I beg leave to say, on the other side; *From the whole I think it is evident, that*

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the Magistrate bath some Authority, properly speaking, (I have instanc'd in that of judging, and putting to death in cold Blood) which the whole Community or Governed Society have not in themselves, supposing no Magistrate, and which consequently cou'd not be transferr'd to him by the Governed Society.

The 3d Part of your Letter is wholly spent in Proving, that St. Paul's Words are applicable to the Office of Government in General, *i. e.* to all Governours, Subordinate as well as Supreme: With all my heart, Sir; only, if all Governours are there spoken of, I wou'd not have it thought, that the Supreme Governour of all was meant to be excepted; I can't think it likely that St. Paul, writing to *Rome* upon this Subject, never so much as thought of the great Governour that lived there, and had his Title from thence; and that's all I thought of in my Sermon. These are my very Words, *With Regard to them, (i. e. the Roman Emperors) for it must have been with a special regard to the Emperor then Reigning, whether it was Claudioſus or Nero, both of them very bad ones, he says, Whosoever refiſteth, &c.* Pray observe, I don't say, *with Regard to them only*, but, *with a special Regard to them*; and I say also to *them*, and not to *him*: I don't therefore so positively confine the Apostle's Discourse to *Nero*, or to any one particular bad Emperor; I only suppose, that if a bad Emperor was at that time Reigning, (I add now, if any bad Emperor had then Reigned within the Memory of Man, or might possibly Reign at any time before the End of the World) it is not likely that the *Apostle*, Writing upon this Subject in an Epistle design'd for the instruction of Christians in all Ages, shou'd not have that Case in his Eye. But I never suppos'd but that he might think of a Pro-consul as well as of an Emperor, of *Pilate*, *Felix* or *Festus*, as well as of *Nero*; and of a good Governour as well as of a bad one. Therefore,

pray,

And now I come to the 4th Part of your Letter; to which, and to the Conclusion (Pag. 40 to 52) I shall need to Write very little in Answer; because most of this Part of your Letter is about Subjects which I have said nothing of in my Two Accelion Sermons; as *Self-Preservation*, *Self-Defence*, *The Madness of a Prince or a Father*; *What Steps were taken in the Revolution*; *What Ground it stands upon*; *That there were more Heads and Hands engag'd in the Revolution, than in the Murder of King Charles the First*; *that it has been follow'd by a long and expensive War*; *That Rebellions have sometimes had beneficial Consequences*; *That some have gone further than others in endeavouring to reconcile Men to the present Constitution*; *That they are not to be blamed who go farthest in this good Work*; *That Foundations are not to be Undermin'd*; and Twenty other such Subjects, about which you are pleas'd to shew your Reading, and exercise your Reasoning, but which (although your Letter about them is Written to me) I can yet think my self under no obligation to Write about to you. Nor had I, perhaps, taken the Trouble, at a Time so inconvenient and unseasonable, of Writing so much to you as I have already done, but only that by your repeated Complaints (p. 10 and 51) of your former Book's not being Answer'd, I apprehend that you would have complain'd much more, in Case your Letter of Considerations had not been at all consider'd, not even by the Person you sent it to. Not but that for my not Answering your present Letter, if I had not done it, as well as for no Body's having thought fit to Write an Answer to your *Measures of Obedience*, I cou'd, if I was put to it, give Reasons more than one; But they are very scurvy ones, and therefore I won't mention them.

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There are but Two Things in all that Part of your Letter, from Pag. 40 to the End, which I can think myself at all oblig'd to take notice of.

One is (Pag. 40, viz.) the Exception you take to my Third Inference, and this Passage therein in particular; *Tho' the Laws of our earthly Governors shou'd in some Instances be contrary to the Divine Laws (upon which Supposition the Magistrate does certainly exceed the Bounds of his Commission) yet this does not void their Authority,* They are the Ministers of God for all this: Whereupon you immediately ask this Question; *In what I beseech you?* But before you had ask'd me this Question you might have read on to the End of the Sentence; *Or else there were none that were so, there were none that cou'd be call'd so, when the Apostle wrote this Epistle;* and then have answer'd a few Questions which those Words did, by Implication, put to any Person that shou'd be in the mind to take Exceptions to the foregoing Passage; as namely, *Who was the Minister of God when St. Paul wrote that Epistle; Whether there was then any such Person, or but One, or more than One; Whether the Laws of the Empire (however they might not be, by every Governor, Chief and Subordinate, always rigidly executed) were not in direct opposition to Christianity; Whether this and other general Discourses of St. Paul, and the like of St. Peter, about Subjection to the Higher Powers, to Principalities, and Powers, to the King as Supreme, and unto Governors as sent by him, were designed for the Use of Christians only during the first Five Years of Nero's Reign, and whenever such another Calm shou'd happen; and the like.* And for your Help in answering these Questions, as they have relation to that Passage in my Sermon which you find fault with, you might have gone to the next Lawyer, and ask'd him, whether a Mayor of a Corporation (my beloved, however unfortunate Instance) and a Justice of the Peace, acting by the Queen's Commission, are, *ipso facto*, outed of their Office and Commission, in Case they do, at any time, any one thing, not warranted by their Commission; and likewise what

other legal Remedy, any Subject, that thinks himself aggriev'd by any such Officer, has against such Officer, besides appealing to some superior Officer, or Court, or to the Queen's Majesty. For I (ignorant as I am in the Laws) am apt to think, that, if, in such Case, the Person thinking himself aggriev'd, shou'd Cudgel the Mayor, or run upon the Justice with his drawn Sword, the next neighbouring Justice, or, if he shou'd not be in the way, this very Mayor or Justice, might warrantably lay the Man by the Heels, and bind him to answer for what he had done, as for a high Misdemeanor, at the next Assizes. And I am further of Opinion, that the learned Judges upon the Bench wou'd allow such Commitment to be good; tho' perhaps at the same time they'd reprimand the Mayor or Justice, for giving the Man such Provocation to fly in the Face of Authority.

And now to your Question; *In what, say you, are Magistrates the Ministers of God*, when they make Laws contrary to the Divine Laws, and exceed the Bounds of their Commission? Why, Sir, my humble Opinion is, that, tho' as bad Magistrates they transgres the Rules which God had given them to govern by, yet as Magistrates or Governors, they are still the Ministers of God: Just as a Priest is the Ecclesiastical Minister of God, and all priestly Acts done by him are valid, and the People are bound to hearken to him, and obey him in all that he teaches agreeably to the Doctrine of the Gospel; altho' in some one or more Sermons he shou'd (as the Scribes and Pharisees did of old, and some others have done since) *make void the Law of God*, by teaching the People, not to *render to Cæsar the Things that are Cæsars*, and suffering Men in some Cases *no more to Honour their Father and Mother*: Nay, and my Opinion still further is, that they are actually Priests, and Ministers of Jesus Christ the Prince of Peace, even at the very Time, that they exceed the Bounds of their Commission, and are Preaching up Resistance and Rebellion. And this is all the Answer to this Question that I am at present at leisure to give; because it wou'd take up as much Paper to say all that might be proper to be said upon this Subject, as I have already us'd in the foregoing Letter: And besides it is a very good Subject, and I have a mind to keep it, perhaps, for another Accession-Sermon. However, that I mayn't too much disappoint you, besides what has been already said, I'll return you another short Answer to it out of the *Whole Duty of Man*, which I assure you was thought a very good Book when I was a Youngster, tho' the worldly-wise World is grown wiser since, and, by cutting off all the *Passive* or *Suffering Duties* of Christianity, has render'd

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der'd a great Part of the New Testament obsolete, and made the *Whole Duty of Man*, much less than it was. But my Book, my *Whole Duty of Man*, I mean, (as well as my Bible) is of the old Edition, wherein I find, and you may read, these Words.

We are to pay them Obedience. This is likewise strictly charged by the Apostle, 1 Pet. 2. 13. Submit your selves to every ordinance of man for the Lord's sake, whether it be to the King as Supreme, or unto Governors as those that are sent by him. We owe such an obedience to the supreme power, that whoever is authorized by him, we are to submit to; and S. Paul likewise is most full to this purpose, Rom. 13. 1. Let every soul be subject to the higher Powers: And again, Verse 2. Whoever resisteth the powers, resisteth the Ordinance of God. And 'tis observable that these precepts were given at a time, when those powers were Heathens, and cruel persecutors of Christianity; to shew us, that no pretence of the wickedness of our Rulers can free us of this duty. An obedience we must pay either Active or Passive: the active in the case of all lawful commands; that is, when ever the Magistrate commands something, which is not contrary to some command of God, we are then bound to act according to that command of the Magistrate, to do the thing he requires. But when he enjoyns anything contrary to what God hath commanded, we are not then to pay him this active obedience; we may, nay we must refuse thus to act, (yet here we must be very well assured that the thing is so contrary, and not pretend conscience for a cloak of stubbornness) we are in that case to obey God rather than man. But even this is a season for the passive obedience, we must patiently suffer, what he inflicts on us for such refusal, and not, to secure our selves, rise up against him. For who can stretch his hand against the Lord's anointed, and be guiltless? says David to Abishai, 1 Sam. 26.9. and that at a time when David was under a great persecution from Saul, nay, had also the assurance of the Kingdom after him; and S. Paul's sentence in this case is most heavy, Rom. 13.2. They that resist shall receive to themselves damnation. Here is very small encouragement to any to rise up against the lawful Magistrate, for though they should so far prosper here, as to secure themselves from him by this means, yet there is a king of Kings from whom no power can shelter them, and this damnation in the close will prove a sad prize of their Victories.

The only other Thing in this last Part of your Letter, which I can think needful for me to take any notice of, is in Pag. 46. where (that your Letter, I suppose, might be all of a Piece, and end, as it began, with a foul and false Charge upon me) you are pleas'd to say, that *I assure the World, that Her Majesty's Title*

is only that of a successful Usurpation. How's this? What? Her Majesty's Title to the Crown only that of a successful Usurpation? And have I said this? Have I indeed said it, and that too, not as whispering it in secret to some trusty disaffected Persons, but declaring it publickly, publishing it from the Pulpit and from the Pres' too? Have I said it, and that, not letting it slip from me as an hasty and inadvertent Expression, but gravely and solemnly, giving my Word upon it? Have I thus assured the World, that Her Majesty's Title to the Crown is only that of a successful Usurpation? If I have done any such thing, God forgive me; and thanks to the Queen for her late gracious Pardon, passed into an Act since the Printing of my last Sermon: For if I have indeed ever said the Thing I am here charg'd with, not only barely saying it, but standing in it, and assuring the World of it, I know what I deserv'd, and it was not a Bishoprick I'm sure. Cease then from henceforward your Wonder, that a Man of my Character and Authority shou'd do such a Thing, and wonder rather that the Government, even Her Majesties most Mild and Gentle Government, shou'd suffer such a Thing, especially when done so openly, and by a Man of such Character and Authority too, to pass unpunish'd; wonder rather at my not being particularly, and by Name, excepted out of the late Act of gracious Pardon, and rejoice with me upon my fortunate Escape: And I, in return, will do the same Thing with you, who, for your Sermon and its Defence, was certainly well nigh in the same Danger. This I'm sure of, that some unfortunate Wretches, who between the Years 40 and 60 of the last Century, had Preach'd, Printed, and Practis'd a little too much according to the Principles advanc'd and maintain'd by you in those Two Books, wou'd have given all they were worth in the World, not to have been excepted out of such an Act. And therefore, I hope, I may without offence say to you (especially since if you believe the Truth of your own Charge against me, you must think that I say the same to myself) in the Words of Scripture: *Bekold thou art made whole, sin no more lest a worse thing come unto thee.*

" Well but what is all this to the Purpose, you'll say? This is the Charge I have brought against you; that you, not having the Fear of God, &c. have dared to assure the World, that Her Majesty's Title, &c. And now you have read the Charge can you deny it? Can you disprove it? Or what other Answer can you make to it?

Why, Sir, 1. As to other Answer, I don't know but that I might Answer it by an Action of Scand. Mag., but that I shou'd scorn to fight an Adversary with unequal Weapons.

2. As

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2. As to *Disproof*; I beg your pardon for that; *Affirmanti incubit Probatio* you know is a settled Rule. The Proof lies on your Part, and it belongs to you to make good your Charge, and as for the Disproof of it, that's a Thing I shan't so much as think of, till you shall be pleas'd to add Time, Place, and other Circumstances of the Fact, by your mention of which, I might be furnish'd with some Materials towards the Proof even of a Negative. I mean plainly this; You shou'd have said where, in what Sermon, and in what Page of that Sermon, I have *plainly* said those Words, or given this Assurance to the World. I say, *plainly*; for I must tell you, that I will not allow, nor will any equal Judge allow, of an *Innuendo Proof* of a Charge of such a high Nature as this is; especially as it may be manag'd and improv'd by one that is able to shew, that St. Paul, in the 13th Chap. to the *Romans*, does not say any thing for the Divine Institution of Magistracy, nor for a Divine Commission granted to the Magistrate, nor against Resistance and Rebellion, in case the Subject thinks himself greatly aggrev'd: No, I'll ne'er trust my Life in the Hands of a Man so deadly cunning at Proving and Disproving; unless I may first bar all *Innuendo Proofs*. Till therefore you shall bring some clear Proof of your Charge against me, I shall have nothing to do, but only

3. Stoutly to deny it, and to *assure the World* (upon all the *Character* and *Authority* that I have) that the Charge is utterly and entirely false. And from you, who, being my Accuser, ought not to be my Judge, I appeal 1. to the *World* (allowing that to be both Witness and Judge) to judge, whether I have said this Thing to them, much more assur'd them of it; allowing you nevertheless, to furnish them with the best Proofs you have of the Matter. From you I appeal 2. to Her Majesty (your Superior, I hope, you'll grant) who commanded the Printing of one of these Sermons, and has been graciously pleas'd to accept a Copy of the other; to Her I appeal, whether from any Thing she heard in the One, or has read in the Other, she has any Suspicion that my Opinion is, *That her Title to the Crown is only that of a successful Usurpation*, or thinks I have, in either of those Sermons, said or intimated any such Thing. And lastly from you I appeal to God himself, the Sovereign Judge of all, who knows that I never thought the Thing, which you say I have *assured the World of*. To all which I have nothing more now to add, but only, that I forgive you this Wrong, and heartily pray God to forgive you too.

And now, Sir, having Written a full Answer to your Letter, so far as I could think my self, or the *Doctrine* deliver'd in my

my Sermons concerned in it, I beg leave, in requital for the many Considerations which you have been pleas'd to propose to me, to leave this one thing with you, being what I think well deserves your most serious Consideration; viz. That before the 5th Commandment was given by *Moses*, and much more before it was repeated and reintro'd in the *New Testament*, there had been many *Fathers without natural Affection*, who had extremely exceeded their Paternal Commission, and grossly abus'd their Paternal Power, to the great Hurt, Vexation, Ruin, Destruction, and even Death of their Children; and yet all the Precepts we meet with, either in the Law or *Gospel*, relating to the Behaviour of Children to their Parents, are to this tenour; *Honour thy Father and Mother: whoso CURseth Father or Mother let him die the Death: Children obey your Parents in all things, for this is Right &c.* Not one Word or Hint do I remember in the whole Bible, directing, or giving allowance to Children, to strike, cast off, and much less to kill their Parents, in Case of their Cruelty, Madnes, or Rage; or for any Provocation whatsoever. There had been likewise, long before St. *Paul* wrote his Epistle to the *Romans*, (whether twas written in *Claudius's Reign or Nero's*) many cruel Tyrants, and Monsters of Men, in Possession of the Highest Power, there had been one (if my Memory fails me not) before, and yet not very long before that Time, of whom the *Historian* relates this Passage, that he wish'd all the Citizens of *Rome* had but one Neck, that he might dispatch 'em all at one Blow; and yet not one Word do we meet with in St. *Paul*, or any other *Apostle*, serving to instruct Subjects in the Natural Right, that they had in such Cases, to defend themselves by Resistance; much less to Depose, Judge, Punish, or (which in that Case might have seem'd but a proper Return) to Neck, or Behead their Sovereign; Nothing but *let every Soul be subject to the Higher Powers: ye must needs be subject, not only for Wrath, but also for Conscience sake: Whosoever resisteth the Power, resisteth the Ordinance of God: and they that resist shall receive to themselves Damnation &c.* And lastly, There had been, without all doubt, in all Ages, both long before, and when the *Apostles* wrote their *Epiſtles*, many bloody and savage *Masters*, who had us'd their Slaves with the utmost Barbarity, had abus'd, beaten, wounded, ay and killed them too, only for their own Humour; and yet (tho' I am not sure that the Power and Authority of Malters over their Slaves is as much *Jure Divino*, as that of Parents over their Children, and Magistrates over their Subjects) I do not remember in Scripture any expreſſ Allowance, much less Encouragement, given to Slaves to rise up against,

against, or to strike their Masters, and much less to knock them on the Head for publick Good: *i. e.* to release themselves, and their Fellow Servants, from an unreasonable and intolerable Servitude. But some Precepts I have met with there, which seem to look quite the other way; as that of St. Paul to *Titus*, *Exhort Servants to be Obedient to their own Masters*, — not answering again. And especially that of St. Peter. *Servants be Obedient to your Masters with all Fear*; not only to the good and gentle, but also the foward. *For this is thank worthy, if a Man for Conscience towards God endure grief, suffering wrongfully; for what Glory is it, if when ye be buffeted for your Faults ye take it patiently? but if when ye do well and suffer for it, ye take it patiently, this is acceptable with God.* Precepts, I think, of the utmost Importance, both to the Honour of Christianity, and the Security of Humane Society, tho' some perhaps may be so wicked as to call them *Doctrines of Servitude*. And the Thing, which upon these Suggestions, I wou'd intreat you, for God's sake, for Religions sake, and for your own Souls sake, seriously to consider, is, whether you had not kept closer to your Text, and to the Text of the Gospel too, if, in your celebrated Sermon on *Rom. 13*, you had Preach'd up the general Duties of Obedience and Subjection to the Higher Powers, in such manner, as the Apostles did, and as St. Paul has enjoyn'd (not *Titus* only, I hope, but) all Preachers of the Gospel to do; *Put them in mind to be subject to Principalities and Powers, and to obey Magistrates*, and left them to learn their Natural Right (if you will have it so) to Resist, and Rebel, in Cases of extreme *Exigency*, and of some possible Attempts of their Governors, from Buchanan, Hobbes, Milton, Harrington, *Author of the Rights*, or some other *Theologico-Political Master*; or indeed from corrupt Human Nature it self, which is much more ready to teach its own Rights, and to practise its own Liberties, than 'tis to submit to the Restraints that are laid upon it by God and Religion.

I only add, That in Case you shall think fit to make any Reply to this Letter, if you shall keep close to the Questions between us; which are, or, I think, may be reduc'd to only these Two, *viz. Whether the Magistrates Power be from God, or from the People; and, whether or no Subjects have a Coercive Power over their Sovereigns*; I may perhaps, if I can find Leisure for it, give you the Trouble of a Second Letter. But if the Subject of what you may call *an Answer* shall be any thing else, I promise you now before hand that you shall have the last Word. For if your Reply shou'd be only, or chiefly, a *Defence of your self against this my Self-Defence*, I fancy the World will by that

that time be weary of reading our squabbling Letters; so that we shan't need to trouble the Printer with them. Or if it shall be about *the State of Nature*, and the *Natural Rights* of Mankind in such a State, that's what the Scripture speaks very little or nothing of; I don't remember that it speaks of any *State of Nature*, but only that sinful wretched State that the Fall has brought us all into: So that the other *State of Nature* may, I think, be a Matter more proper to be consider'd, and debated by Laymen, than by Bishops and Presbyters. And therefore in that Case, I shall leave you to be mumbled by the learned and very ingenious Author of a late Dialogue between *Timothy* and *Philatheus*, who, I find, is well furnish'd to discourse you upon that Subject: and who, tho' at present he has chosen himself another *Play-fellow*, may perhaps be persuad-ed, when he has done with him, to take a short Game with you. Or if it shall be only about *Self-Defence*, against *all possible Attempts* of *Governors* or others, that's *noli me tangere*; I have already solemnly engag'd that I will have nothing to do with that Point. Or Lastly, If it shall be, about *Original Contracts*, *Revolutions*, &c. I tell you plainly, that I an't at Leisure, nor I shan't be at Leisure, nor I won't be at Leisure, to write to you so much as one single Line about any such Matters.

And so commanding you (*heartily*, I assure you, notwithstanding our present Bickerings) to the Grace and Blessing of Almighty God, I bid you farewell, and remain,

Sir,

Your Loving Friend

and Brother,

O F S P. EXON.

N.B. The Reader is desir'd to take notice, that the Edition I us'd when I wrote this Letter, and to which I refer, are of Mr. Hoadly's Letter, the First Edition of Three Sheets and a Quarter: Of my First Sermon, that in Octavo in the Volume of 14 Sermons: And of my Second Sermon, that in Octavo of a Sheet and Half.

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